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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,807	07/14/2003	Shao-Chuch Hu	BHT-3212-31	4169
7590		10/04/2007	EXAMINER	
TROXELL LAW OFFICE PLLC			GOMA, TAWFIK A	
SUITE 1404			ART UNIT	PAPER NUMBER
5205 LEESBURG PIKE			2627	
FALLS CHURCH, VA 22041				
		MAIL DATE	DELIVERY MODE	
		10/04/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/617,807	HU, SHAO-CHUEH
	Examiner	Art Unit
	Tawfik Goma	2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 July 2007.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 and 13-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-9, 11 and 13-20 is/are rejected.
- 7) Claim(s) 10 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

This action is in response to the amendment filed on 7/13/2007.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 11, and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Packer (US 6058453) in view of Tran (US 6198705).

Regarding claim 1, Packer discloses a method for reading a coded audio data file in an optical storage medium and buffering the audio data file to a buffer memory (518, fig. 5a and fig. 6b)), said audio data file comprising a plurality of blocks which are stored sequentially in a plurality of storing units in said optical storage medium (fig. 1c), each block being divided into a subcode block and a corresponding main data block (fig. 1c and fig. 2), said subcode block comprising a plurality of coded subcodes (122, fig. 1c and col. 2 lines 36-39), said subcodes comprising an address for each corresponding block (col. 2 lines 40-52), said main data block correspondingly comprising said coded audio data (col. 5 lines 43-49), the method comprising following steps: (a) designating a starting block where buffering starts, decoding via a subcode decoding procedure to obtain said subcodes in said subcode block, and searching for said starting block in said blocks in said optical storage medium (col. 6 lines 8-25); (b) when said starting block is searched, triggering a main data decoding procedure to correspondingly decode said starting block and said main data blocks in later blocks (col. 6 lines 26-37 and fig. 3), then

sequentially buffering decoded audio data respectively in a plurality of corresponding buffer units in said buffer memory after performing decoding (518, 516, fig. 5a); and (c) according to the timing when said main data decoding procedure is triggered, deciding the timing when said decoded subcodes should be buffered to said buffer memory (col. 6 lines 8-25), in order that said subcodes and corresponding audio data which belong to the same block before decoding can be buffered to the same buffer unit after respectively decoded (fig. 5c, fig. 5d and col. 8 lines 65-67 thru col. 9 lines 1-24). Packer fails to disclose wherein the starting block is decided by counting a number of blocks from a target block. In the same field of endeavor, Tran discloses a method of buffering data wherein the starting block is decided by counting a number of blocks from a target block (col. 3 lines 21-36). It would have been obvious to one of ordinary skill in the art to modify the method disclosed by Packer by using the target block as taught by Tran. The rationale is as follows: One of ordinary skill in the art at the time of the applicant's invention would have been motivated to use a target block in order to compensate for the delay that will result when buffering such that the correct starting block is the first block to be buffered.

Regarding claim 2, Packer further discloses wherein in the step (b), after said starting block is searched, a matching flag will be emitted to a subcode buffer controller and a main data buffer controller, so as to respectively trigger the later subcode decoding procedure of said subcode buffer controller and trigger said main data decoding procedure of said main data buffer controller (figs. 5b, 5c, fig. 6a and col. 8 lines 10-25 and col. 9 lines 1-13).

Regarding claim 3 Packer further discloses wherein at least one block is distanced between where said main data buffer controller receives said matching flag and where said main

data buffer controller triggers said main data decoding procedure; the number of said distanced blocks is decided by the timing of triggering said main data decoding procedure (fig. 3, fig. 5c and col. 8 lines 46-65).

Regarding claim 4, Packer discloses wherein said starting block is searched by an address control unit, and said address control unit also emits said matching flag after searching for said starting block (505, fig. 5a).

Regarding claim 5, Packer further discloses wherein said buffer memory comprises said buffer unit to correspondingly store said decoded subcodes and audio data (504a, 504b and 518 fig. 5a).

Regarding claim 6, Packer further discloses wherein each of said buffer unit comprises a subcode unit and a main data unit; both said subcode unit and said main data unit are used to respectively store the decoded subcodes and audio data (fig. 5c).

Regarding claim 7, Packer further discloses wherein said buffer memory can be DRAM (col. 7 line 50).

Regarding claim 8, Packer further discloses wherein an optical storage device proceeds said method; said optical storage device connects to a computer host and receives a reading command from said computer host to proceed said method (522, fig. 5a and fig. 7).

Regarding claim 9, Tran further discloses wherein the block which said reading command asks to read is defined as the target block, and said address control unit can decide the starting block via a starting block deciding procedure (col. 3 15-36).

Regarding claims 11, claim 11 is rejected for the same reasons as claims 1 and 4 above.

Packer further discloses a subcode buffer controller and a main data buffer controller (516, fig. 5).

Regarding claim 13, claim 13 is rejected for the same reasons as claim 2 above.

Regarding claim 14, claim 14 is rejected for the same reasons as claim 3 above.

Regarding claim 15, claim 15 is rejected for the same reasons as claim 5 above.

Regarding claim 16, claim 16 is rejected for the same reasons as claim 6 above.

Regarding claim 17, claim 17 is rejected for the same reasons as claim 8 above.

Regarding claim 18, claim 18 is rejected for the same reasons as claim 9 above.

Regarding claim 19, claim 19 is rejected for the same reasons as claim 10 above.

Regarding claim 20, Packer further discloses a compact disc medium with digital audio format (col. 1 lines 22-36).

#### ***Allowable Subject Matter***

Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1-11 and 13-20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tawfik Goma whose telephone number is (571) 272-4206. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tawfik Goma/  
9/19/2007

/William Korzuch/  
SPE, Art Unit 2627